

## **REMARKS**

Claims 29, 31-38, 40-42, 44-55, 57, and 58 are present in the application and pending on the merits. By this Response, Applicants have amended the specification and claims 29, 42, 44-49, and 57. No new matter has been added. Support for the amendments to the specification and claims may be found in, for example, Figs. 1 and 6-12, as originally filed. With respect to amending claims 29 and 42, such that they recite that the fraction of elongated elements is turned up around either the first bead core or the second bead core, support for this subject matter may be found at least at page 8, line 29, through page 9, line 5.

### **I. Statement of the Substance of the Interview**

As an initial matter, Applicants appreciate the Examiner's reconsideration and withdrawal of a number of the claim rejections included in the previous Office Action issued April 1, 2009. Further, Applicants would like to thank Examiner Knable for the courtesy and consideration extended to Applicants' representative during the telephone interview conducted on March 11, 2010. During the interview, at least some of the issues outlined herein were discussed.

### **II. Claim Rejection under 35 U.S.C. § 112, First Paragraph**

Claims 33, 42, 44-55, 57, and 58 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Final Office Action at 2. The rejection statement asserts that claims 29 and 42 are inconsistent with claims 33 and 47, respectively, because claims 29 and 42 recite that a fraction of

elongated elements is turned up around the bead cores, and claims 33 and 47, which depend respectively from claims 29 and 42, recite that all (i.e., "the fraction" and "a remainder") of the elongated elements are turned up around the bead cores. Id. at 2-3. The rejection statement asserts that this results in claims 33 and 47 being inconsistent with the subject matter recited in independent claims 29 and 42. Id.

Although Applicants do not necessarily agree with those assertions, Applicants have amended claims 29 and 33 in order to promote an expedited issuance of a Notice of Allowance for this application. In particular, independent claim 29, as amended, recites, in pertinent part, "wherein a fraction of the elongated elements of the carcass ply is turned up around one of the first bead core and the second bead core," and dependent claim 33 recites, "wherein the fraction of the elongated elements is turned up around the second bead core, and a remainder of the elongated elements is turned up around the first bead core." Thus, claims 29 and 33 are more clearly consistent with one another.

Regarding independent claim 42, it recites, in pertinent part, "turning up ends of a fraction of the elongated elements around one of the first bead core and the second bead core," and claim 47 recites, "wherein the ends of the fraction of the elongated elements are turned up around the second bead core, and a remainder of the elongated elements is turned up around the first bead core." Thus, claims 42 and 47 are more clearly consistent with one another.

The rejection statement also asserts that the portion of claim 42 that recites, "wherein the turned up ends of the fraction of the elongated elements comprises ends at a radially more internal position than the at least one bead core," is inaccurate because

after the ends of the elongated elements are turned up, they are at a radially outer position relative to the at least one bead core. See Final Office Action at 4. By this Response, Applicants have amended this portion of claim 42 to recite, "wherein the turned up ends of the fraction of the elongated elements, prior to being turned up, comprise ends at a radially more internal position than the first bead core and second bread core . . . ." Thus, this portion of claim 42 is more accurate.

For at least the above-outlined reasons, claims 33, 42, 44-55, 57, and 58, as amended, comply with 35 U.S.C. § 112, first paragraph. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of those claims under 35 U.S.C. § 112, first paragraph.

### **III. Claim Rejection under 35 U.S.C. § 112, Second Paragraph**

Claims 29, 31-38, 40-42, 44-55, 57, and 58 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Final Office Action at 4. In particular, the rejection statement asserts that the rejected claims are indefinite for reasons similar to the reasons outlined above with respect to the rejection based on the first paragraph of 35 U.S.C. § 112. See id. at 4-5. As outlined previously herein, claims 29 and 42 have been amended, and Applicants respectfully submit that for reasons at least similar to those outlined above, claims 29, 31-38, 40-42, 44-55, 57, and 58 comply with the second paragraph of 35 U.S.C. § 112.

Regarding "the at least one bead core," which was previously recited four lines from the end of claim 29, Applicants have amended this portion of claim 29 to recite,

"one of the first bead core and the second bead core . . . ." There is proper antecedent basis for this recitation. Therefore, it complies with 35 U.S.C. § 112, second paragraph.

For at least the above-outlined reasons, claims 29, 31-38, 40-42, 44-55, 57, and 58 comply with 35 U.S.C. § 112, second paragraph. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of those claims under 35 U.S.C. § 112, second paragraph.

#### **IV. Claim Rejection under § 103(a) based on Auxerre and Caretta**

Claims 29, 31, 32, 34-36, 38, 40, and 41 were rejected under 35 U.S.C. § 103(a) based on WO 02/094584 to Auxerre in combination with U.S. Patent No. 6,457,504 to Caretta ("Caretta"). Final Office Action at 6. (The WO 02/094584 reference is a publication corresponding to PCT Application No. PCT/EP02/05479, to which U.S. Pat. App. Pub. No. US 2004/0154720 A1 ("Auxerre") claims priority, and Auxerre has been relied on in the rejection statement to provide an English-language version of WO 02/094584.) See id. Claim 29 is the only independent claim included in this claim rejection, and Applicants respectfully submit that independent claim 29, as amended, is patentably distinguishable from Auxerre and Caretta, regardless of whether those references are viewed individually or as a whole. More specifically, neither Auxerre nor Caretta discloses or renders *prima facie* obvious all of the subject matter recited in independent claim 29.

Amended independent claim 29 is directed to a tyre for a vehicle wheel, including, *inter alia*, "at least one annular reinforcing structure ; [and] . . . [a] carcass pl[y] compris[ing]: a plurality of elongated elements . . . ; a first bead core; and a second

bead core, . . . wherein the first bead core and the second bead core are disposed at a same radial position of the tyre; wherein a fraction of the elongated elements of the carcass ply is turned up around one of the first bead core and the second bead core . . . .” Neither Auxerre nor Caretta discloses or renders obvious at least this subject matter recited in independent claim 29.

The rejection statement asserts that Auxerre discloses “bead cores 80 and 31 (fig. 2) . . . .” Id. The Auxerre reference itself discloses that reference numbers 31 and 80 correspond to “cords 31” (p. 3, ¶ [0046]) and “a bead wire 80” (p. 4, ¶ [0052]). As disclosed in Auxerre, cords 31 and bead wire 80 are not disposed at a same radial position, as recited in independent claim 29. Moreover, Auxerre teaches away from modifying its disclosed tire in a manner that would result in the cords 31 and bead wire 80 being at a same radial position of the tire.

Auxerre discloses that bead wire 80 is located in a main anchoring zone 20 (p. 4, ¶ [0052]), and cords 31 are located in a secondary anchoring zone 30 disposed in a rim protector 70 (p. 3, ¶ [0042]) that is disposed radially outwardly of the main anchoring zone 20 (see Figs. 1-3). Thus, bead wire 80 and cords 31 are not disposed in the same radial position, as recited in independent claim 29. Auxerre also discloses that its “invention” is a tire having a main anchoring zone for supporting a first reinforcement structure and, “in a position that is radially outward from the anchoring zone, a rim protector . . . comprising at least one secondary anchoring zone comprising a plurality of circumferential cord windings, the windings cooperating with an adjacent portion of a secondary reinforcement structure via a rubber anchoring mix. Auxerre at 1, ¶ [0006]. Thus, Auxerre discloses that its “invention” is a tire having two anchoring zones, a main

anchoring zone and a secondary anchoring zone located "in a position that is radially outward from the main anchoring zone," for receiving first and second reinforcement structures, respectively. Auxerre further discloses that "the presence of the secondary anchoring zone in the rim protector helps lend rigidity thereto in order to improve its strength and durability" (p. 1, ¶ [0008]), and further, that the "use of the rim protector in order to provide therein a secondary anchoring zone makes it possible to optimize the use of the rim protector as such" (p. 1, ¶ [0009]).

Based on Auxerre's disclosed desire and benefits of disposing the secondary anchoring zone in the rim protector located radially outward from the main anchoring zone, a person of ordinary skill in the art would be led away from modifying the Auxerre tire in a manner that would result in the main and secondary anchoring zones being disposed at the same radial position. Thus, regardless of what Caretta discloses, it would not have been obvious to modify the tire of Auxerre in such a manner. For at least this reason, the subject matter recited in independent claim 29 is not *prima facie* obvious based on Auxerre and Caretta, regardless of whether those references are viewed individually or as a whole.

For at least the above-outlined reasons, Applicants respectfully submit that independent claim 29 is patentably distinguishable from Auxerre and Caretta. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 29 under § 103(a) based on Auxerre and Caretta. Because claims 31, 32, 34-36, 38, 40, and 41 depend from independent claim 29, those dependent claims should be patentably distinguishable from Auxerre and Caretta for at least the same reasons as independent claim 29.

**V. § 103(a) Rejection based on Auxerre, Caretta, Dickinson, and Bohm 1 and 2**

Claims 42, 44-46, 49-53, 57, and 58 were rejected under 35 U.S.C. § 103(a) based on Auxerre in combination with Caretta and at least one of U.S. Patent No. 1,728,957 to Dickinson ("Dickinson"), U.S. Patent No. 5,705,007 to Bohm et al. ("Bohm 1"), and EP 557 615 to Bohm ("Bohm 2"). Final Office Action at 7. Claim 42 is the only independent claim included in this claim rejection, and Applicants respectfully submit that independent claim 42, as amended, is patentably distinguishable from Auxerre, Caretta, Dickinson, Bohm 1, and Bohm 2, because those references fail to disclose or render *prima facie* obvious all of the subject matter recited in independent claim 42.

Applicants' amended independent claim 42 is directed to a method of manufacturing a tire, including, *inter alia*, "preparing a plurality of elongated elements . . . ; disposing each elongated element on a toroidal support to form a carcass structure; . . . turning up ends of a fraction of the elongated elements around one of [a] first bead core and [a] second bead core, . . . wherein the first bead core and the second bead core are disposed at a same radial position of the tyre . . . ." For reasons similar to those outlined above with respect to independent claim 29, Auxerre and Caretta, regardless of whether they are viewed individually or as a whole, fail to disclose or render *prima facie* obvious at least this subject matter recited in independent claim 42. Dickinson, Bohm 1, and Bohm 2, regardless of whether they are viewed individually or as a whole, fail to overcome the previously-outlined deficiencies of the rejection based on Auxerre and Caretta.

For at least these reasons, Applicants respectfully submit that independent claim 42 is patentably distinguishable from Auxerre, Caretta, Dickinson, Bohm 1, and Bohm 2. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 42 under § 103(a) based on those references. Because claims 44-46, 49-53, 57, and 58 depend from independent claim 42, those dependent claims should be patentably distinguishable from the references for at least the same reasons as independent claim 42.

**VI. Claim Rejections under § 103(a) of Dependent Claims**

Claims 37, 48, 54, and 55 were rejected under 35 U.S.C. § 103(a) based on Auxerre in combination with Caretta in combination with at least one of JP 07-195915 ("JP '915"), Dickinson, Bohm 1, Bohm 2, U.S. Pat. App. Pub. No. US 2004/0154727 to Weissert et al. ("Weissert"), and U.S. Pat. App. Pub. No. US 2005/0076988 to Noto et al. ("Noto"). Final Office Action at 7-9. Each of claims 37, 48, 54, and 55 depends from a corresponding one of independent claims 29 and 42. Therefore, dependent claims 37, 48, 54, and 55 should be patentably distinguishable from the references for at least the same reasons as independent claims 29 and 42. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 37, 48, 54, and 55 under § 103(a) based on Auxerre, Caretta, JP '915, Dickinson, Bohm 1, Bohm 2, Weissert, and Noto.



**VII. Conclusion**

For at least the above-outlined reasons, independent claims 29 and 42 should be allowable. Dependent claims 31-38, 40, 41, 44-55, 57, and 58 depend from a corresponding one of allowable independent claims 29 and 42. Consequently, those dependent claims should be allowable for at least the same reasons independent claims 29 and 42 are allowable. Thus, all of the pending claims should be allowable. Accordingly, Applicants respectfully request reconsideration of this application, entry of the amendments to the specification and claims, withdrawal of the claim rejections, and allowance of claims 29, 31-38, 40-42, 44-55, 57 and 58.

If the Examiner believes that a telephone conversation might advance prosecution of this application, the Examiner is cordially invited to call Applicants' undersigned attorney at (404) 653-6559.

Applicants respectfully submit that the final Office Action contains a number of assertions concerning the related art and the claims. Regardless of whether those assertions are addressed specifically herein, Applicants respectfully decline to automatically subscribe to them.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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By: 

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